IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 27410 of 2003

Between:

Madisetty Krishna S/o. Late Laxminarayana,
R/o. 18-9-48/1, Kareemabad,
Warangal Dist.

..... PETITIONER

AND

1. The Union of India, rep.by its Secretary, Ministry of Finance (Banking Division),Jeevandeep Building,
   Sansad Marg, New Delhi-1.
   2 Chief Manager, State Bank of Hyderabad.Warangal Main Branch,
   Warangal Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any other appropriate writ or direction striking down the securitisation and Reconstruction of Financial Assets and Enforcement Act of security Interest Act, 2002 and striking down Sec.13,15 and 34 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and to quash the notice issued by the second respondent dt.18-11-2003.

For the Petitioner:MR.P.PRABHAKAR REDDY , Advocate

For the Respondent No.1: MR.A.RAJASHEKAR REDDY (SC FOR CG)

For respondent No.2: Mr A.Krishnam Raju, Advocate

The Court Made the Following ORDER:

(per Hon'ble Sri Devinder Gupta, The Chief Justice)

In view of the decision of the Hon'ble Supreme Court in Transfer Case (Civil) No.92-95 of 2002, dated 8th April, 2004 [MARDIA CHEMICALS LTD v UNION OF INDIA & ORS], challenge to the provisions of the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is not tenable and for that reason relief prayed for in this writ petition cannot be granted. Writ petition is, therefore, dismissed.

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DEVINDER GUPTA, CJ

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G.ROHINI, J

29th June, 2004.

nmr

ASSISTANT REGISTRAR

// true copy //

SECTION OFFICER

To

1.The Secretary, Union of India,

Ministry of Finance (Banking Division) Jeevandeep

Building, Sansad Marg, New Delhi-1

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